

JUDGE SWAIN

Southern

UNITED STATES DISTRICT COURT

District of

New York

JOE SIMON-WHELAN, Individually And On
Behalf Of All Others Similarly Situated,
Plaintiff,

V.

THE ANDY WARHOL FOUNDATION FOR THE
VISUAL ARTS, INC., THE ESTATE OF ANDY
WARHOL, VINCENT FREMONT, Individually and
Successor Executor For the Estate of Andy
Warhol, VINCENT FREMONT ENTERPRISES,
THE ANDY WARHOL ART AUTHENTICATION
BOARD, INC., JOHN DOES 1-20, JANE DOES
1-10, and RICHARD ROES 1-10,

Defendants.

TO: (Name and address of Defendant)

Vincent Fremont,
Individually and Successor Executor
for the Estate of Andy Warhol
1 Union Square West, #307
New York, New York 10003

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

07 CV 6423

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YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Lee A. Weiss
DREIER LLP
499 Park Avenue
New York, NY 10022

Seth A. Redniss
REDNISS & ASSOCIATES LLC
185 Franklin Street, 5th Floor
New York, New York 10013

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUL 13 2007

CLERK

DATE

(By) DEPUTY CLERK



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X AFFIDAVIT OF SERVICE
JOE SIMON-WHELAN, Individually and on Behalf
of Others Similarly Situated. Index No. 07 CV 6423

Plaintiff,

- against -

THE ANDY WARHOL FOUNDATION FOR
THE VISUAL ARTS INC, THE ESTATE OF
ANDY WARHOL, VINCENT FREMONT,
Individually and Successor Executor For the
Estate of Andy Warhol, VINCENT FREMONT
ENTERPRISES, THE ANDY WARHOL ART
AUTHENTICATION BOARD, INC.
JOHN DOES 1-20, JANE DOES 1-10
AND RICHARD DOES 1-10

Defendant.

-----X

STATE OF NEW YORK)
)
) ss.:
COUNTY OF NEW YORK)

Shaun Jackson, being duly sworn, deposes and says: Deponent is not a party to this
action, and is over 18 years of age and is a resident of the State of New York.

On July 19, 2007, at approximately 10:10am, at One Union Square West, # 307, New
York, NY 10003, Deponent served the within Summons in a Civil Action, Class Action
Complaint and Jury Demand, Individual Practices of Judge Laura Taylor Swain, Individual
Practices of Magistrate Judge Andrew J. Peck, 3rd Amended Instructions for Filing an Electronic
Case or Appeal, Guidelines for Electronic Case Filing, and Procedures for Electronic Filing upon
Vincent Fremont, Individually and as Successor Executor for the Estate of Andy Warhol by
delivering to and leaving with Vincent Fremont a true and correct copy of said documents.

At the time of said service, the individual served acknowledged that he is Vincent Fremont the herein named Defendant. Deponent asked whether Vincent Fremont was in the military service of the United States of America or New York or any other state and received a negative response.

Vincent Fremont is described a white male, approximately 36-50 yrs. of age, 161-200 lbs., 5'4"-5'8" tall, with glasses and brown hair.

S Jackson
Shaun Jackson

Sworn to before me this
26th day of July, 2007

Karlene S Jackson
Notary Public

Karlene S. Jackson, Notary Public
State of New York, #01JA5083169
Qual. in Queens City, New York City
Commission Expires November 17, 2009